

**MINUTES**

**MONTANA SENATE  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON NATURAL RESOURCES AND ENERGY**

**Call to Order:** By **CHAIRMAN GREG LIND**, on April 4, 2007 at 3:00  
A.M., in Room 422 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Greg Lind, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Gary L. Perry (R)  
Sen. Bill Tash (R)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzonried (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Claudia Johnson, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 473, HB 304, HB 569, HB 835, HB  
831  
Executive Action: None.

**HEARING ON HB 473**

**Opening Statement by Sponsor:**

00:00:00 REP. JOHN (JACK) ROSS (R), HD 60, opened the hearing on HB 473, Eliminate water adjudication fee.

**Proponents:**

00:00:45 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)

00:01:55 John Bloomquist, Montana Stockgrowers Association

00:02:29 John Youngberg, Montana Farm Bureau Federation

00:02:34 Mark Aagenes, Montana Trout unlimited

00:02:52 Mike Murphy, Montana Water Resources Association

**Opponents:** None.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:03:37 Sen. Kaufmann to Mary Sexton, DNRC

00:06:08 Sen. Perry to Rep. Ross

00:08:53 Sen. Lind to Rep. Ross

00:09:22 Sen. Lind to Mary Dalton, DNRC

00:09:35 Sen. Curtiss to Rep. Ross

00:10:16 Sen. Harrington to Mary Sexton, DNRC

**Closing by Sponsor:**

00:11:23 Rep. Ross

**HEARING ON HB 304**

**Opening Statement by Sponsor:**

00:16:45 **SEN. KELLY GEBHARDT** opened the hearing for **REP. KEVIN FUREY (D)**, HD 91, on **HB 304**, Create interim water policy committee.

**Proponents:**

00:17:16 Mary Sexton, Director, DNRC

00:20:32 Mick Seeberg, Montana Gallatin Irrigators

00:21:14 Stan Bradshaw, Montana Trout Unlimited

00:21:29 Jeff Barber, Montana Environmental Information Center (MEIC)

00:22:12 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks (FWP)

00:23:17 Glenn Oppel, Montana Association of Realtors

**Opponents:** None.

**Informational Testimony:**

00:23:55 Tom Patton, Montana Bureau of Mines and Geology

**Questions from Committee Members and Responses:**

00:24:25 Sen. Gebhardt to Mary Sexton, DNRC

00:25:52 Sen. Gebhardt to Chris Evans, LSD

00:26:33 Sen. Curtiss to Tom Patton, Montana Bureau of Mines

00:29:20 Sen. Tash to Tom Patton, Montana Bureau of Mines

00:29:56 Sen. Tash to Mary Sexton, DNRC

00:30:45 Rep. Furey

00:32:48 Sen. Kaufmann to Rep. Furey

**Closing by Sponsor:**

00:36:20 Sen. Gebhardt

**HEARING ON HB 569**

**Opening Statement by Sponsor:**

00:39:28 SEN. KELLY GEBHARDT opened the hearing for REP. DIANE RICE (R), HD 71, on HB 569, Generally revise nursery laws.

**Proponents:**

00:40:02 Chris Wagner, Montana Nursery Association (MNA)

**Opponents:** None.

**Informational Testimony:**

00:41:45 Greg Ames, Administrator, Department of Agriculture (DOA)

**Questions from Committee Members and Responses:**

00:42:31 Sen. Tash to Greg Ames, DOA

00:43:53 Sen. Gebhardt to Greg Ames, DOA

00:46:23 Sen. Lind to Greg Ames, DOA

00:48:43 Sen. Lind to Chris Wagner, MNA

00:49:50 Sen. Curtiss to Chris Wagner, MNA

00:51:25 Sen. Curtiss to Greg Ames, DOA

00:55:36 Sen. Gebhardt to Greg Ames, DOA

**Closing by Sponsor:**

00:57:49 Sen. Gebhardt

**HEARING ON HB 835**

**Opening Statement by Sponsor:**

00:59:03 SEN. KELLY GEBHARDT opened the hearing for REP. WAYNE STAHL (R), HD 35, on HB 835, Facilitate environmental permit laws and create a college internship program.

**Proponents:**

00:59:40 Don Allen, Western Environmental Trade Association  
(WETA)

**Opponents:**

01:01:45 Tom Livers, Department of Environmental Quality (DEQ)

01:09:22 Anne Hedges, Montana Environmental Information Center  
(MEIC)

**EXHIBIT(nas72a01)**

**Informational Testimony:**

01:14:52 Frank Gilmore, Chancellor, Montana Technical School of  
Mines (Butte)

01:15:39 Doug Abbott, Vice Chancellor, Montana Technical School  
of Mines

01:16:50 Robin Shropshire, Teacher, Helena College of  
Technology

**Questions from Committee Members and Responses:**

01:17:38 Sen. Harrington to Tom Livers, DEQ

01:26:04 Sen. Curtiss to Robin Shropshire

01:28:28 Sen. Gebhardt to Rep. Stahl

01:30:39 Sen. Lind to Tom Livers, DEQ

01:31:33 Sen. Kaufmann

01:32:40 Sen. Gebhardt

**Closing by Sponsor:**

01:33:34 Rep. Stahl

01:37:59 Sen. Kaufmann to Rep. Stahl

01:40:02 Sen. Lind to Rep. Rice

Break 6:00 p.m.

Back from Break 11:20 p.m.

00:23:56 Chairman Lind

**HEARING ON HB 831**

**Opening Statement by Sponsor:**

05:45:29 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 831**, Revise water use laws.

**Proponents:**

05:51:12 Holly Franz, PPL Montana

**EXHIBIT(nas72a02)**

05:56:40 Stan Bradshaw, Montana Trout Unlimited

**EXHIBIT(nas72a03)**

06:04:58 Al Jaeger, G2-Green Growth, LLC

06:08:13 Mary Sexton, DNRC

06:14:12 Don MacIntyre, Utility Solutions, LLC

**EXHIBIT(nas72a04)**

06:14:12 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks (FWP)

00:00:55 Tony Kolnik, Gallatin County Water Users

**Opponents:**

00:04:05 John Bloomquist, Attorney for Water Right Users and Montana Stockgrowers Association

00:18:34 John Youngberg, Montana Farm Bureau

00:23:22 Russ McLeyea, Moonlight Ski Area-Big Sky

00:30:21 Mike Murphy, Montana Water Resource Association

00:34:06 Jay Skoog, American Council of Engineering Companies in Montana

**EXHIBIT(nas72a05)**

00:37:53 Glenn Oppel, Montana Association of Realtors

**EXHIBIT(nas72a06)**

**EXHIBIT(nas72a07)**

00:42:58 Abigail St. Lawrence, Attorney, Helena

**Informational Testimony:**

00:48:14 Tom Patton, Bureau of Mines, Butte

**Questions from Committee Members and Responses:**

00:49:33 Sen. Lind

00:49:53 Sen. Tash to Rep. McNutt

00:50:25 Sen. Kaufmann to Sen. Lind

00:51:33 Sen. Perry

00:52:55 Joe Kolman, LSD

**EXHIBIT(nas72a08)**

**Closing by Sponsor:**

00:53:20 Rep. McNutt

**ADJOURNMENT**

Adjournment: 1:00 A.M.

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SEN. GREG LIND, Chairman

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CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

**EXHIBIT ([nas72aad.pdf](#))**